

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

STANLEY GENE JOHNSON,

Plaintiffs,

v.

EDWIN WOLFGRAM, et al.,

Defendants.

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Case No. 4:17-CV-103 SPM

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's Motion for Leave to Amend Complaint. [Doc. 59.] A party may amend its pleadings only with the opposing party's written consent or the court's leave if more than 21 days have passed since service of the complaint or a responsive pleading. Fed. R. Civ. P. 15(a). The Court should freely give leave to amend pleadings when justice so requires. *Id.* "A district court appropriately denies the movant leave to amend if 'there are compelling reasons such as undue delay, bad faith, or dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the non-moving party, or futility of the amendment.'" *Sherman v. Winco Fireworks, Inc.*, 532 F.3d 709, 715 (8th Cir. 2008) (quoting *Moses.com Sec., Inc. v. Comprehensive Software Sys., Inc.*, 406 F.3d 1052, 1065 (8th Cir. 2005)).

Plaintiff, who is now represented by court appointed counsel, seeks to amend his *pro se* complaint to clarify and elaborate on the issues therein. The Second Amended Case Management Order in this case [Doc. 58.] set a July 27, 2018, deadline for filing amended pleadings or joining additional parties. Plaintiff's motion is timely filed, and the proposed amended complaint will place the Court in a better position to resolve the issues in this case. The Court finds that justice

requires permitting Plaintiff to amend his complaint, and will grant Plaintiff's Motion for Leave to Amend Complaint.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs' Motion for Leave to Amend Complaint is **GRANTED**. [Doc. 59.]

Dated this 31st day of July, 2018.

A handwritten signature in black ink, appearing to read "Shirley Padmore", written over a horizontal line.

SHIRLEY PADMORE MENSAH  
UNITED STATES MAGISTRATE JUDGE